

MINUTES
LANCASTER COUNTY BOARD OF COMMISSIONERS
TUESDAY, JULY 19, 2005
COUNTY COMMISSIONERS HEARING ROOM, ROOM 112
FIRST FLOOR, COUNTY-CITY BUILDING
1:30 P.M.

Commissioners Present: Larry Hudkins, Chair
Deb Schorr, Vice Chair
Bernie Heier
Ray Stevens

Commissioners Absent: Bob Workman

Others Present: Kerry Eagan, Chief Administrative Officer
Bruce Medcalf, County Clerk
Kristy Mundt, Deputy County Attorney
Trish Owen, Chief Deputy County Clerk
Gwen Thorpe, Deputy Chief Administrative Officer

The Board of Commissioners meeting was called to order at 1:30 p.m..

- 1) **MINUTES: Approval of the minutes of the Board of Commissioners meeting held on Tuesday, July 12, 2005.**

MOTION: Schorr moved and Stevens seconded approval of the minutes of the Board of Commissioners meeting dated July 12, 2005. Schorr, Stevens, Heier and Hudkins voted aye. Motion carried.

- 2) **CLAIM FOR REVIEW:**

A. A payment voucher payable to Industrial Services Inc. for Invoice No. 120-967, in the amount of \$327.01 for current charges. The invoice includes a \$42.08 fuel surcharge and a \$42.08 25-yd roll-off dumped for a total of \$84.16. The current contract does not include payment for either the fuel surcharge or 25-yd roll-off dumped.

MOTION: Heier moved and Stevens seconded approval of a payment voucher, in the amount of \$242.85, to Industrial Services, Inc. which denies the roll-off charge of \$42.08 and the fuel surcharge of \$42.08.

2) **CLAIMS FOR REVIEW CONTINUED:**

Heier stated the contract does not include a fuel surcharge or a roll-off surcharge fee.

ROLL CALL: Heier, Stevens, Schorr and Hudkins voted aye. Motion carried.

3) **CLAIMS: Approval of all claims processed through Tuesday, July 19, 2005.**

MOTION: Stevens moved and Schorr approval of all claims processed through July 19, 2005. Heier, Stevens, Schorr and Hudkins voted aye. Motion carried.

4) **PUBLIC HEARINGS:**

A. Continuation of a public hearing regarding an application for Corporate Manager for Richard Bjorklund in connection with a liquor license for the Nebraska State Board of Agriculture located at 1800 State Fair Park Drive, Lincoln, Lancaster County, Nebraska. (See New Business Item 6A for correlating resolution.)

The Chair reconvened the public hearing and asked if anyone wished to provide testimony.

No one appeared and the hearing was closed.

B. Street Name Change 05004, requested by the Director of Public Works and Utilities, to name the road planned to connect Ashbrook Drive to Highway 2 as "Ashbrook Drive". (See New Business Item 6B for correlating documentation.)

The Chair opened the public hearing.

Mike DeKalb, Planning Department, gave a brief overview explaining that the road is being created by the City of Lincoln with a portion of it being outside the City limits.

DeKalb added that City Council approved the street name change.

Schorr requested that signage be put in place clarifying that a left turn would be onto Ashbrook Drive.

4) **PUBLIC HEARINGS CONTINUED:**

The Chair asked if anyone else wished to testify.

No one appeared and the hearing was closed.

C. County Final Plat 05053, Adams Street Acreages, requested by Lyle Loth of ESP on behalf of James M. Buel, for four lots and one outlot, on property generally located one-half mile east of North 148th and Adams Streets in Lancaster County, Nebraska. (See New Business Item 6C and 6D for correlating documentation.)

The Chair opened the public hearing and asked if anyone wished to provide testimony.

No one appeared and the hearing was closed.

5) **OLD BUSINESS:**

A. A request from Buffalo County, pursuant to Neb. Rev. Stat. § 68-144 and § 68- 145 for reimbursement of a general assistance payment of \$250 for rental assistance paid to Pablo and Tracy Perez.

Board consensus was to place the item on hold for two weeks at the request of Gary Chalupa, County General Assistance Office, to obtain additional information.

B. Request from the Lancaster County Personnel Policy Board to create election of Personnel Policy Board Members by Classified Employees Personnel Policy Bulletin.

MOTION: Stevens moved and Heier seconded approval of a request from the Lancaster County Personnel Policy Board to create election of Personnel Policy Board Members by Classified Employees Personnel Policy Bulletin. Schorr, Heier, Stevens and Hudkins voted aye. Motion carried.

6) **NEW BUSINESS:**

A. A resolution in the matter of an application for Corporate Manager for Richard Bjorklund, in connection with a Class C (Retail) liquor license for the Nebraska State Board of Agriculture d/b/a Nebraska State Fair Park, located at 1800 State Fair Park Drive, Lancaster County, Nebraska. (R-05-0089)

MOTION: Stevens moved and Schorr seconded approval of Resolution 05-0089 in the matter of an application for Corporate Manager for Richard Bjorklund, in connection with a Class C (Retail) liquor license for the Nebraska State Board of Agriculture d/b/a Nebraska State Fair Park, located at 1800 State Fair Park Drive, Lancaster County, Nebraska. Stevens, Heier, Schorr and Hudkins voted aye. Motion carried.

B. A resolution in the matter of Street Name Change 05004, requested by the Director of Public Works and Utilities, to name the road planned to connect Ashbrook Drive to Highway 2 as "Ashbrook Drive" on property generally located east of South 70th Street and Highway 2. (R-05-0087)

MOTION: Schorr moved and Stevens seconded approval of Resolution 05-0087 in the matter of Street Name Change 05004 and to request that signage be installed designating that a left turn would be onto Ashbrook Drive. Heier, Stevens, Schorr and Hudkins voted aye. Motion carried.

C. A resolution in the matter of County Final Plat 05053, Adams Street Acreages, requested by Lyle Loth of ESP on behalf of James M. Buel, for four lots and one outlot, on property generally located one-half mile east of North 148th and Adams Streets in Lancaster County, Nebraska. (R-05-0086)

D. A subdivision agreement with James M. Buel, for County Final Plat 05053, Adams Street Acreages, on property generally located one-half mile east of North 148th and Adams Streets in Lancaster County, Nebraska. (C-05-0391)

New Business Items 6C and 6D were read together.

6) **NEW BUSINESS CONTINUED:**

MOTION: Stevens moved and Heier seconded approval of Resolution 05-0086 in the matter of County Final Plat 05053, Adams Street Acreages and approval of a subdivision agreement with James M. Buel, for County Final Plat 05053, Adams Street Acreages, on property generally located one-half mile east of North 148th and Adams Streets in Lancaster County, Nebraska. Stevens, Heier, Schorr and Hudkins voted aye. Motion carried.

E. A resolution adopting modifications to the Summary Plan Description for the Lancaster County Flexible Spending Benefit Plan. The modifications concern the grace period immediately following the end of each Flexible Spending Benefit Plan year, during which unused benefits or contributions remaining at the end of the plan year may be paid or reimbursed to plan participants for qualified expenses incurred during the grace period. (R-05-0088)

MOTION: Schorr moved and Heier seconded approval of Resolution 05-0088 adopting modifications to the Summary Plan Description for the Lancaster County Flexible Spending Benefit Plan. Schorr, Stevens, Heier and Hudkins voted aye. Motion carried.

F. An agreement between the Social Security Administration (SSA) and Lancaster County to provide the Lancaster County General Assistance Office with electronic access to SSA information through the Nebraska Health and Human Services System. The agreement is effective upon execution by both parties and will continue through June 30, 2006. There will be no cost to the County for such access. (C-05-0392)

MOTION: Heier moved and Stevens seconded approval of an agreement between the Social Security Administration (SSA) and Lancaster County to provide the Lancaster County General Assistance Office with electronic access to SSA information through the Nebraska Health and Human Services System. Stevens, Schorr, Heier and Hudkins voted aye. Motion carried.

6) **NEW BUSINESS CONTINUED:**

G. An agreement with BryanLGH Medical Center for nursing services at the Crisis Center of the Lancaster County Mental Health Center. The nurses will be available 24 hours a day, seven days per week. Term of the agreement is from June 1, 2005 to June 30, 2006. The County will pay \$47.16 per hour for the services. (C-05-0393)

MOTION: Schorr moved and Stevens seconded approval of an agreement with BryanLGH Medical Center for nursing services at the Crisis Center of the Lancaster County Mental Health Center. Schorr, Stevens, Heier and Hudkins voted aye. Motion carried.

H. An interlocal agreement with the City of Lincoln, on behalf of Lincoln Electric System (LES), for reconstruction of Rokeby Road from a point 500 feet east of South 98th Street to a point 1,100 feet east of South 98th Street. The City will be responsible for the cost of reconstruction and the County will be responsible for all maintenance on the new section of Rokeby Road. The County will give the City permission to perform the work and permit the City to construct an access to Rokeby Road at a point 970 feet east of South 98th Street. (C-05-0394)

MOTION: Stevens moved and Heier seconded approval of an interlocal agreement with the City of Lincoln, on behalf of Lincoln Electric System (LES), for reconstruction of Rokeby Road from a point 500 feet east of South 98th Street to a point 1,100 feet east of South 98th Street. Schorr, Heier, Stevens and Hudkins voted aye. Motion carried.

I. An amendment to the Lancaster County Flexible Spending Benefit Plan. The amendment allows a grace period immediately following the end of each Flexible Spending Benefit Plan year, during which unused benefits or contributions remaining at the end of the plan year may be paid or reimbursed to plan participants for qualified expenses incurred during the grace period.

MOTION: Heier moved and Stevens seconded approval of an amendment to the Lancaster County Flexible Spending Benefit Plan. Heier, Stevens, Schorr and Hudkins voted aye. Motion carried.

J. Amendment of Resolution 05-0074 approving County Special Permit 05025 to allow storage of the mobile home/camper on property, located at 11255 West Fletcher Road, upon completion and occupancy of the permanent residence.

6) **NEW BUSINESS CONTINUED:**

Kerry Eagan, Chief Administrative Officer, explained that he visited with Lynn Englebart regarding her concern about language requiring them to remove the mobile home camper from the property after completion of their residence.

Eagan suggested the original resolution, as well as Mrs. Englebart's copy, be amended by interlineation.

MOTION: Heier moved and Schorr seconded approval of an amendment of Resolution 05-0074 approving County Special Permit 05025 to allow storage of the mobile home/camper on property, located at 11255 West Fletcher Road, upon completion and occupancy of the permanent residence.

Stevens asked if the conditions would have to be modified.

Eagan suggested adding a sentence under Condition 1 of the resolution indicating that the mobile home camper may be stored on the property upon occupancy of the residence.

Hudkins asked if the maker of the motion or the seconder wanted to modify the original motion.

Heier stated he would accept a friendly amendment to his motion that the County Attorney's Office would include the appropriate language.

The seconder concurred.

ROLL CALL ON AMENDMENT: Stevens, Schorr, Heier and Hudkins voted aye. Motion carried.

ROLL CALL ON ORIGINAL MOTION: Schorr, Stevens, Heier and Hudkins voted aye. Motion carried.

K. Appointment of the following individuals to the Lincoln Area Agency on Aging Advisory Council:

<u>Name of Individual</u>	<u>Term to Expire</u>
Dawneane Munn (replacing Barb McCabe)	July 1, 2008
Bonnie Armstrong	July 1, 2008
John Ludden	July 1, 2008
Phyllis Bovee	July 1, 2008

6) **NEW BUSINESS CONTINUED:**

MOTION: Stevens moved and Schorr seconded approval of the appointment of Dawneane Munn, Bonnie Armstrong, John Ludden and Phyllis Bovee, terms to expire July 1, 2008. Schorr, Heier, Stevens and Hudkins voted aye. Motion carried.

- 7) **CONSENT ITEMS:** These are items of business that are routine which are expected to be adopted without dissent. Any individual item may be removed for special discussion and consideration by a Commissioner or by any member of the public without prior notice. Unless there is an exception, these items will be approved as one with a single vote of the Board of Commissioners. These items are approval of:

(Schorr exited the hearing room.)

A. Receive and Place on File:

- 1. County Assessor/Register of Deeds Monthly Report for June, 2005.**
- 2. County Attorney's Quarterly Report for April 1, 2005 through June 30, 2005.**
- 3. Lancaster Manor's Monthly Report.**
- 4. Noxious Weed Control Authority's Monthly Report for June, 2005.**
- 5. Noxious Weed Control Authority's Monthly Report for the Combined Weed Program with the City of Lincoln for June, 2005.**

- B. Setting of a public hearing for Tuesday, August 2, 2005 at 1:30 p.m. in the Commissioners Hearing Room, Room 112, on the first floor of the County-City Building regarding County Final Plat 05027, Whitetail Run Addition, requested by Brian D. Carstens and Associates on behalf of Full House, L.L.C., for nine lots and three outlots on property generally located northwest of the intersection of Southwest 14th Street and West Bennet Road in Lancaster County, Nebraska.**

- C. Request from Kyle Moormeier, with the Lancaster County Engineering Department, to voluntarily participate in the County's retirement plan having met the requirements.**

- D. A leasehold contract relating to road construction between the Lancaster County Engineering Department and Marvin Mueller, in the amount of \$581, one-eighth of a mile east of 120th and A Streets. (C-05-0395)**

7) **CONSENT ITEMS CONTINUED:**

MOTION: Stevens moved and Heier seconded approval of the Consent Items. Heier, Stevens and Hudkins voted aye. Schorr was absent from voting. Motion carried.

(Schorr reentered the hearing room.)

8) **ADJOURNMENT:**

MOTION: Schorr moved and Stevens seconded adjournment of the Board of Commissioners meeting at 1:57 p.m.. Stevens, Heier, Schorr and Hudkins voted aye. Motion carried.

Bruce Medcalf
County Clerk

**MINUTES
LANCASTER COUNTY BOARD OF EQUALIZATION
TUESDAY, JULY 19, 2005
COUNTY COMMISSIONERS HEARING ROOM, ROOM 112
FIRST FLOOR, COUNTY-CITY BUILDING
IMMEDIATELY FOLLOWING THE REGULAR BOARD OF COMMISSIONERS
MEETING**

Commissioners Present: Larry Hudkins, Chair
Deb Schorr, Vice Chair
Bernie Heier
Ray Stevens

Commissioners Absent: Bob Workman

Others Present: Norm Agena, County Assessor/Register of Deeds
Kerry Eagan, Chief Administrative Officer
Bruce Medcalf, County Clerk
Kristy Mundt, Deputy County Attorney
Trish Owen, Chief Deputy County Clerk
Gwen Thorpe, Deputy Chief Administrative Officer

The Board of Equalization was called to order at 1:57 p.m..

1) **MINUTES: Approval of the minutes of the Board of Equalization meeting held on Tuesday, July 12, 2005.**

MOTION: Schorr moved and Stevens seconded approval of the minutes of the Board of Equalization meeting on July 12, 2005. Schorr, Stevens, Heier and Hudkins voted aye. Motion carried.

2) **ADDITIONS AND DEDUCTIONS:**

Approval of 10 additions and deductions to the tax assessment roll per Exhibit "A".

MOTION: Heier moved and Stevens seconded approval of the additions and deductions to the tax assessment rolls. Schorr, Heier, Stevens and Hudkins voted aye. Motion carried.

3) **APPROVAL OF MOTOR VEHICLE TAX EXEMPTIONS:**

**Capitol City Christian Church
Lincoln Lancaster County Child Guidance Center
Madonna Rehabilitation Hospital
St. Teresa Church
Southeast Nebraska Mobile Diagnostic Services, Inc.
Villa Marie School**

MOTION: Stevens moved and Schorr seconded approval of the motor vehicle tax exemptions. Heier, Stevens, Schorr and Hudkins voted aye. Motion carried.

4) **ADJOURNMENT:**

MOTION: Schorr moved and Stevens seconded adjournment of the Board of Equalization meeting at 2 p.m.. Stevens, Schorr, Heier and Hudkins voted aye. Motion carried.

Bruce Medcalf
County Clerk